

**REMARKS**

This Preliminary Amendment is submitted prior to continued examination of the present application and in view of the Examiner Interview conducted on April 13, 2004.

Claims 41-44 were pending in the application. In a Final Action mailed on January 14, 2004, claims 41-44 were rejected. In this Amendment, claims 41-44 have been canceled, and new claims 45-84 have been added. Claims 45-84 thus remain for consideration.

Applicant submits that claims 45-84 are in condition for allowance, and requests early and favorable consideration thereof.

**§103 Rejections / New Claims**

In the Final Action, claims 41 and 43 were rejected under 35 U.S.C. §103(a) as being unpatentable over Roskowski et al. (U.S. Patent No. 5,624,316), and under §103(a) as being unpatentable over James, Jr. et al. (U.S. Patent No. 6,240,519). Claims 42 and 44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Roskowski in view of Watanabe et al. (EP 0844554), and under §103(a) as being unpatentable over James, Jr. in view of Platteter et al. (U.S. Patent No. 5,093,915).

Claims 41-44 have been canceled, thereby rendering their rejections moot.

Regarding new claims 45-84, Applicant wishes to note that Roskowski et al. does not disclose any innovative feature of the present invention. Roskowski et al. simply discloses whether the processor executes the boot program from either a first data storage (game cartridge 1) or a second data storage (ROM 28), or some other data storage.

Booting from either an internal storage device or another removable storage device is well known in the field of PCs as disclosed in the references. However, selective use of data at a time of booting is not known in the art.

In the present invention, after a booting program is executed by the information processing apparatus, the information processing apparatus can select data such as image data or sound data used in the booting process from different data storages.

The selective use of data is carried out according to the booting program. The booting program and the data (sound data or image data) may be stored in the same data storage. Alternatively, the booting program and the data may not be stored in the same data storage, and the data can be selectively used during the execution of the booting program. Unlike the cited references, the data used in the booting process is not limited to the storage in which the booting program is stored.

The information processing apparatus according to the present invention can use data from different storages - any storages that are physically or wirelessly connected, or connected by any possible data communication means such as LAN or Internet to the information processing apparatus for data communication - according to the booting program.

Assuming that the booting program is stored in a removable data storage connected to the information processing apparatus, the information processing apparatus can use the data in the booting process from another data storage connected to the information processing apparatus. Since any available data can be used according to the booting program in the booting process, the booting process can be carried out very flexibly.

For example, at the time of the booting process, different images or information selected from the available data can be displayed on the display of the information processing apparatus,

and different sounds can be outputted from the speaker of the information apparatus. Since the data can be selectively used, and changed according to the booting program, the booting process is not monotonous to the user.

In another possible example, the booting program is stored in a plurality of the information processing apparatuses, and the booting program is configured to use particular data (e.g. text information) stored in a certain storage device such as a file server connected to the information processing apparatuses. Simply by changing the data in the storage device, the change is reflected to all of the information processing apparatuses. The same text information can be displayed on all of the information processing apparatuses at the time of the booting process.

In still another possible example, if the information processing apparatus determines that the data stored in the data storage is old or broken according to the booting program, the information processing can still obtain necessary data from another data storage.

It is understood that the information processing unit 10 disclosed in Watanabe et al. (EP 0844554A2) is capable of selecting either a booting program stored in a removable ROM cartridge 20 or a booting program stored in another ROM associated with a disk drive 30. However, Watanabe et al. neither discloses nor suggests that the booting program and the data used in the booting process are stored in different data storages and the data used in the booting process can be selected from different data storages.

The information processing unit 10 of Watanabe et al. is merely capable of selecting a booting program from different data storages. The present invention is not directed to such a feature known in the art.

Likewise, the information processing apparatus (computer) disclosed in James, Jr. (U.S. Patent 6,240,519) is also capable of selecting either a booting program stored in a floppy disk 74 or a ROM 78. The innovative feature of the present invention, i.e., the selective use of data in the booting process, is not disclosed in the reference.

In summary, all of the cited references merely disclose well-known booting systems in which the booting process is carried out simply based on the data storage connected to the information processing apparatus. In the present invention, rather than selecting the booting program, the information processing apparatus can select data used in the booting process from different data storages according to the booting program.

Applicant submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicant's undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

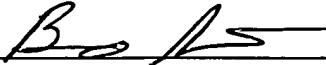
The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,

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